

complaint

Mr W complains about the way Motormile Finance UK Limited has sought to recover money from him which it says is owing.

background

Mr W owed money to a third party and Motormile purchased the debt. Mr W is unhappy with the way Motormile has attempted to recover the debt from him. He considers he has been harassed and subjected to an excessive number of communications from it including phone calls, SMS messages, emails and automated voicemails. He also complains it has not responded to his communications to its CEO. He wants the contact to stop, the default placed on his credit file removed, the account closed and his personal details removed from its records.

Our adjudicator recommended that the complaint should not be upheld. In summary she considered that:

- Motormile had told Mr W that it had acquired the debt and it sent frequent communications in various formats to Mr W. But at no time did Mr W deny that the original loan with the third party was his. And the third party's investigations did not show the debt was not his. As such Motormile was entitled to contact Mr W asking him to pay the debt. Its communications were not excessive and did not amount to harassment.
- Motormile's system notes show Mr W's emails to its CEO were responded to but she cannot say the CEO should necessarily have responded to Mr W directly.
- Motormile has not acted wrongly.

Mr W does not agree and has asked for an ombudsman review. He considers he has been harassed.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Having done so, I agree with the conclusions reached by our adjudicator for broadly the reasons given.

Overall, I am neither persuaded that Motormile acted inappropriately in attempting to seek recovery of the debt Mr W owed nor that its communications with him were excessive or amounted to harassment as he suggests. I do not consider Motormile has done anything wrong.

So, although I recognise Mr W's strength of feeling, I see no compelling reason to change the proposed outcome in this case.

my final decision

My final decision is that I do not uphold this complaint and I make no order against Motormile Finance UK Limited.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr W to accept or reject my decision before 25 March 2015.

Stephen Cooper
ombudsman